

Message Text

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PAGE 01 HALIFA 00634 301621Z

ACTION EB-08

INFO OCT-01 EUR-12 ISO-00 SOE-02 AID-05 CEA-01 CIAE-00

COME-00 DODE-00 DOE-11 H-02 INR-07 INT-05 L-03

NSAE-00 NSC-05 OMB-01 PM-05 USIA-15 OES-07 SP-02

SS-15 STR-05 TRSE-00 ACDA-12 /124 W

-----041280 301629Z /50

P R 301530Z DEC 77

FM AMCONSUL HALIFAX

TO SECSTATE WASHDC 1969 PRIORITY

INFO AMEMBASSY OTTAWA

UNCLAS HALIFAX 0634

E O 11652: N/A

TAGS: ENRG CA

SUBJECT: COME BY CHANCE REFINERY: SHAHEEN WINS APPEAL BID

REF: HALIFAX 0575

1. SUPREME COURT OF CANADA AGREED DEC 19 TO HEAR AN APPEAL AGAINST A DECISION OF APPEALS DIVISION OF NFLD SUPREME COURT REJECTING AN APPLN BY TWO COMPANIES OWNED BY JOHN SHAHEEN TO OVERTURN AN ORDER PLACING COME BY CHANCE REFINERY INTO BANKRUPTCY. PRESS REPORT STATES APPEAL WILL BE HEARD AT UNSPECIFIED DATE IN 1978.

2. APPEALS DIV OF NFLD SUPREME COURT, IN SEPT 1977, DENIED APPLN OF NEWFOUNDLAND REFINING LTD AND PROVINCIAL REFINING LTD TO REVERSE BANKRUPTCY ORDER IMPOSED IN 1976 AND GIVE CREDITORS OF DEBT-RIDDEN COME BY CHANCE REFINERY AN OPPORTUNITY TO STUDY THE TWO COMPANIES PROPOSALS TO PUT THE REFINERY BACK INTO OPERATION.

3. COMMENT: THIS TACTICAL VICTORY BY SHAHEEN WILL AT LEAST KEEP HIS FOOT IN THE DOOR WHILE HE
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CONTINUES TO SCURRY AROUND IN SEARCH OF FINANCIAL BACKERS WHO MIGHT ASSIST HIM IN REGAINING CONTROL OF THE REFINERY. IT WILL PROBABLY ALSO PUT A TEMPORARY KIBOSH ON FURTHER EFFORTS TO FIND A PURCHASER FOR THE REFINERY (REFTEL).

4. WHAT IS THE PRACTICAL EFFECT OF THIS LATEST

DEVELOPEMENT? SHAHEEN S LEGAL COUNSEL HAS ADMITTED
TO ME THAT WHILE HIS CLIENT ARE BY NO MEANS OUT OF
THE WOODS, HE HAS REASON TO BELIEVE THAT THEY STAND
A GOOD CHANCE OF WINNING THEIR REVERSAL BEFORE
THE SUPREME COURT OF CANADA. HE ESTIMATES THAT THE
APPEAL BEFORE THE SCC WILL PROBABLY BE HEARD SOMETIME
AROUND LATE SPRING 1978. END COMMENT.
MOORE

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Message Attributes

Automatic Decaptioning: X
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Subject: COME BY CHANCE REFINERY: SHAHEEN WINS APPEAL BID
TAGS: ENRG, CA
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